



IOWA DEPARTMENT OF NATURAL RESOURCES

Sept. 13, 2007

For immediate release

1. DNR enforcement actions

DNR ENFORCEMENT ACTIONS

MEDIA CONTACT: Jessie Brown at (515) 281-5131.

DES MOINES — The DNR took the following enforcement actions in August 2007, unless otherwise noted. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

Enforcement actions, including copies of the original orders and contact information, are available on the DNR's Web site at www.iowadnr.gov/legal/eactions.html. The Web listing offers orders first taken in 2007 (amendments to orders issued prior to 2007 are not listed).

Consent Orders

A consent order is issued as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

Carroll County

- Neal Rupiper, of Carroll, agreed in a consent order to submit a plan of action to the DNR for manure controls, to install manure controls and pay a \$4,500 penalty. The consent order is in regard to a manure discharge from an open cattle feedlot reaching Brushy Creek. This enforcement action was taken in June.

Clinton County, Scott County

- Schult Enterprises, LLC of Camanche, and Michael Schult, dba Schult Engineering, of Princeton, agreed in a consent order to pay a \$4,000 penalty and to install pollution control technology at a storm water intake. The consent order is in regard to failure to properly report the occurrence of a hazardous condition and an unpermitted discharge of pollutants to the Mississippi River.

Emmet County

- Adam Anderson, of Armstrong, agreed in a consent order to surrender his Public Water system water treatment and water distribution operator certification. Anderson also agreed to be permanently barred from applying for public water supply and wastewater treatment system operator certification in Iowa. The consent order is in regard to failure to maintain monthly operating reports (MORs) and test according to permit requirements, and falsified MORs for the City of Armstrong.

Freemont County

- Larry Whitehead, of Sidney, agreed in a consent order to pay a \$2,500 penalty and to submit leak test results to the DNR monthly. The consent order is in regard to underground storage tank operation and maintenance violations at a site in Sidney. This enforcement action was taken in June.

Iowa County

- Ross McCaw, dba McCaw Pumping Company, of Marengo, agreed in a consent order to cease and prevent the discharge of pollutants to waters of the State, pay a \$7,500 penalty and pay \$9,123.07 in fish restitution. The consent order is in regard to manure reaching Prairie Creek during manure application and a resulting fish kill. This enforcement action was taken in June.

Lee County

- Brian Boyd, dba Southeast Iowa Redemption Center, of Keokuk, agreed in a consent order to pay a \$500 penalty. The consent order is in regard to open burning and open dumping violations at a site in Lee County.

Mills County

- Craig Hancock, dba Country Estates Mobile Home Park, of Council Bluffs, agreed in a consent order to remove and properly dispose all mobile homes, junk automobiles and appliances, and other solid waste at a site in Mills County. Hancock also agreed to perform asbestos testing and abatement before disposing any mobile home, to submit receipts to the DNR to verify proper disposal of all materials removed from the site, and to pay a \$3,000 penalty. This enforcement action was taken in April.

Union County

- Wellman Dynamics Corporation, of Creston, agreed in a consent order to comply with air quality construction permit, Title V permitting, PSD permitting and

NESHAP requirements; and to pay a \$10,000 penalty. The consent order is in regard to air quality permitting violations.

Writer: Jessie Brown